342 costs to make or buy. In the 'izba sector, most of the Bedouin have a summer tent which they place next to their stone house for the hot months. According to the governmental community [659] development program, in order to own land and register it properly one must build at least one room upon it. The one- [935] room house (daar) is not common in al-Qasr: it is a symbol of poverty. The multi-roomed house (duwaar) is common. It is [333] built of large pieces of cut sandstone which are quarried in [316] al-Qasr. Those who can afford it build the duwaar and surround 342 it with a wall in compound fashion. Only one man in al-Qasr 556 is rich enough to afford two of these compound-type houses. The size and style of a house reflect status. Traditionally, [184] a man furnished a tent for each wife and for each married son. Although this is still the custom in parts of the desert, in al-Qasr the private room (daar) in a duwaar has replaced the private tent.

596 The basic residential unit is called naja' (literally, "hamlet"). It is composed of the father, his wife (wives), his unmarried children, and married sons and their families. The naja' takes the name of the father who is called the shaib ("elder," literally, "white-haired one") of the group. In the naja', the word of the shaib is law, and the members' chief duty is unquestionable obedience. The average naja' in al-Qasr consists of about three or four houses or tents.

423 society. Private ownership of land with sovereign rights
* [613] over it is now the normal practice in al-Qasr. Rights are
[178] held by the family head, the shaib. If the family head is
• [596] deceased, land tenure rights are held jointly by the sons.

In the area beyond the plateau, in the extreme
[184] south of al-Qasr, land rights to grazing and water still are
* [613] associated with lineages. But here agriculture is impossible.
[241] The type of rights over the land varies with the method by which it is exploited. The southern and coastal sections of
[433] al-Qasr represent the old and the new, the pastoral traditional mode of production and the modern agricultural cash economy.
[233] But, as noted, of the total population only a few Bedouins are actually engaged in pastoralist activities. Hence, tribal tenure rights, in general, are not overly important at this time. Not too long ago they were, and many cases in the recent
[671] history of Bedouin customary law relate to conflicts over land and water in the southern region. The Bedouins say that
[178] traditionally no lineage could use the pasturage or water of
* [613] another without some agreement, usually of long standing,
[233] made beforehand. Now, they say, permission is not needed.
[675] In the old days, these agreements were made between lineage representatives, not individuals per se. Today, the grass
178 and water in the southern zone are claimed, though not in a
423 legal sense, by the families using them: the rights of usufruct over the land are closer to rights of sovereignty

178 than they were in the past. These conditions reflect a change
423 in social and authority relations.

423 In the 'izba sector of al-Qasr, as of 1964, there were
432 two cases of land purchase. In one case, land was sold to an Egyptian, "an outsider" from the Nile Valley. This, of course, could only occur where such a transaction would be upheld by
423 the Egyptian government. Land ownership, when it involves registered land, is absolute. This, to a great extent, works
*(613) to lessen the influence of the lineage structure on property
423 relations. The law governing property, whether in traditional
178 or modern al-Qasr, reflects a set of social relationships.
571 When an individual can own property in the absolute sense, rather than with respect to his being a member of a group which enjoys sovereign rights of ownership, then, there has been a change in traditional corporate relations (Herskovits
[184] 1952:260). This has definitely been the case for most of al-Qasr, and it is adumbrated in the southern sector where a person's rights over land are nearly absolute. A compar-
423 ison of land tenure patterns on the coast and in the southern
184 region reflect not only the contrast between methods of land use, but, also the fact that as land becomes valuable it becomes scarce and land holdings become fragmented (compare Figures 5 and 6).

428 When the head of a household dies, his eldest son
●596 inherits his authority, but all of the sons share equally in

428 the father's property. The egalitarian spirit of the Bedouin
•596 inheritance rule functions to maintain the unity of the family, and, at another level of social complexity, the structural continuity of the corporate group. Ideally, the surviving sons will keep intact their father's estate, his land and animals, and will work it as a unit. And this is generally
596 the case in al-Qasr. On the other hand, there is also the
594 implicit assumption in the structural principle of the
*613 Bedouin segmentary lineage system that each individual will
183 eventually establish a unit of his own, separate from but interrelated with, the main household. As a result, there
596 usually develops some division of property and labor among
593 surviving brothers. Whether or not this division is formally agreed upon, and, whether or not it is assigned by the father or the eldest son is largely arbitrary. In some cases, the father makes such a decision before his death and prepares his sons for it. The father's concern is that good relations be maintained between his sons after his death. Just as the father mediates conflict between his sons during his life, so he hopes to maintain peace between them after his death. The Bedouins say that a father should be fair when dealing with his sons, and that he should never favor one over the other.

428 Inheritance is determined through the patrilineal
*[613] lineage principle. The Bedouins of al-Qasr claim that they

428 562 [422] inherited by a woman's daughters. The carpets and the tent, which are woven by women, are not their property to pass on for they belong to the head of the household, the shaib.

• 596 177 178 Economic change in al-Qasr has had its impact at the level of production mode, and, also, it has affected the composition of the basic family structure. One informant, [124] who is now nineteen years old, remembers growing up in a household composed of his grandfather, father, father's brothers and their families. Since that time, his father has built another house away from the family home; one uncle has moved to Marsa Matruh and opened a shop there; his youngest uncle has built a house not far from the family home; and one uncle remains with his three wives in the original house. This fission-type process is not uncommon in a segmentary society, although as a traditional process, it represented a mechanism for dealing with ecological pressures. In the modern case, in al-Qasr, the process of fission in the Bedouin social structure proves to be an adaptive mechanism also: the fragmentation of lineage property and relations is a positive condition for the transition to a cash and market economy. Among most of the families of al-Qasr, as market orientation increases brothers begin to economically differentiate their tasks and interests with an eye to individual profits.

182 179 *613 433 434

*613 178 177 578 Bedouins, always a minority in Egypt, have been undergoing a transition to peasantry since about 1800. Probably since that time, Bedouin society has been, to use Easton's (1959) emphasis, a "segmentary society" rather than a "segmenting society."

196 Formal Bedouin categories of kinship are confusing; depending upon the situation they use the concepts of bait, 'ait, 'aiela and qabiila interchangeably. The term bait literally means "house," the term bait al-'Arab may mean "the tent" or "the people of the tent." "People of the tent" [594] may refer to either the nuclear family of one man, or the nuclear families of a man, his brothers and his sons, and [596] their spouses and offspring. In the latter case, the ex- [621] tended family is referred to as the naja'. A naja', or camp, usually consists of three or four tents. The word bait may 196 refer to the tertiary and the sub-tertiary groups, and oc- *613 casionally one might even refer to the secondary group as a bait when he wishes to emphasize the quality of corporateness. The term 'aiela, literally "family," is the word used most often to designate the secondary lineage segment. The diminutive of this word, i.e. 'ait, usually refers to the sub-tertiary group but it commonly designates the secondary group also. The term qabiila, "tribe," is the only word used for [619] the primary and supra-primary lineage groupings. These are 196 the general Bedouin usages and their frequency will vary not

moral community, we cannot proceed to a discussion of the internal and external systems of political relations.

As a result of the socialization process, and through relations with other members of the family, an individual comes to recognize that his conduct is measurable by certain standards of, what is considered by the group to be, good and bad, right and wrong. In al-Qasr, such standards are intrinsically correct, or "decent" as the Bedouins say; obedience to the authority representing these standards is interpreted as a "duty." The authoritative aspect of the role of household head (shaib al-bait), and the moral obligations which it represents, emerge from and reinforce values and structural arrangements central to Bedouin social order, namely, respect for authority and devotion to social groups, the two basic elements of morality defined by Durkheim (Parsons 1937:382-385).

The value placed upon social order, and the structural mechanisms for insuring its realization and extension--kinship, residence and contract--inform an authority structure which ranges between filial piety at the family level and a set of legal norms at the level of the external political system. The fact that the Bedouins of al-Qasr are interested in integrating a larger population into their authority structure means that a common value is operative in the range of it; also that one sphere of authority will tend to merge into another. Hence the father-son authority relation has importance for the strength of Bedouin customary law in the desert. The

593 was with his brother and not his brother's sons. When the father persisted with his intention to embarrass his nephews, his sons, as a last alternative, threatened to leave him. In the face of this threat, the father capitulated.

The rights and duties of the father-son relationship, although they do not change in sentiment, will change in content during the lifetime of the father. The main change [421] in content will be a reflection of a change in property re- 593 lations. The Bedouin believe that this is the way it ought 599 to be; they say that

> A son must respect and obey his father. The son must do anything that he can to help and please his father. When the son grows up and begins to earn money, he must contribute generously to his father. A son pleases his father by giving him money and helping him to be comfortable.

593 In boyhood and manhood, the father has disposal over his son's 596 labor. As long as a son lives in his father's naja' this is [464] so. One son, who worked for an American oil company in the desert, regularly turned over his pay check to his father. It is the father who decides where the son will live, and, whether or not he will have his own domicile away from the main naja'. When the son marries and brings his wife to the [591] naja', he will usually set up his tent next to his father's tent. The tent is given to the boy by his father. During 593 the son's growing-up period, he will be given, as gifts on 431 various occasions, a sheep or a number of sheep which will be kept with the father's flock.

595 One of my in-
124 formants, a wealthy man and a poet, said that since he could not love two women equally he would never take a second wife. He also said that he was unwilling to give his daughter to a man who refused to promise him that she would be his only wife.

593 Throughout his life, the father is dominant and his washuun is subjective. He is the master of his naja' and the
[596] social behavior of his wife and offspring toward him has both a moral and a pragmatic aspect. They show respect and obed-
[768] ience because "it is the decent thing to do;" further, just as he provides for their material needs while he is alive, so the property which he leaves them will sustain them after
428 his death. As we have already noted, in theory, the daughters
[562] inherit one-half of the shares which the sons receive; in fact, females inherit only if they are the sole survivors of the male. But the surviving wife, or wives, will take a cash amount equal to their brideprice from the husband's estate. The Bedouins say that this price will be paid before any other inheritance shares are distributed. In addition, the
768 wife has the right to remain in her husband's house or tent, and it is the duty of the eldest son to look after her. She may remain at home until death, provided she never brings a man who may be considered a prospective husband into the house.

593 The rights and duties involved in the father-washuun relationship show that the ideal authority structure of the

1: Obermeyer E-5 (1964-1965) 1969 MT9 Libyan Bedouin MT9
'Aishaibat

CHAPTER IV

THE STRUCTURE OF AUTHORITY

The 'Aqila as a Political Role

*613 554 •[596] The role of 'aqila is the single specialized role in Bedouin political organization. Although it is possible to differentiate another authority role, that of the shaib (elder), this role is primarily a kinship role and in this sense is not an institutionalized political complex of rights and obligations. The 'aqila represents a unique political status in al-Qasr having one incumbent at a time: "The present incumbent is merely a link in a chain of indefinite extent, the temporary custodian of all the properties, powers and privileges which constitute the office" (Smith 1966;117).

*613 554 571 The role of 'aqila is instituted at the tertiary structural level of the lineage system. In theory, each tertiary bait has its own 'aqila. But, in fact, not every tertiary segment is large enough and, therefore, powerful enough to constitute an authority group in the political [128] structure of the lineage. In the next section, we will draw a distinction between authority groups and tertiary groups. The 'aqila acts alone in juridical matters concerning his own

*613 578 571 554 the Bedouins. Conflict regulation treats the expressions of social conflict and not its causes.

The 'aqila regulates conflict between the members of his tertiary segment, between this group and the other groups of the secondary unit, and between secondary units of the tribe. He operates in both the internal and external systems *613 of authority relations. The 'aqila may pre-empt the authority 578 of the shaib in the sphere of familial authority, though, the 593 Bedouins say, this seldom happens because the son is willing 554 to obey his father. Having been reared in the culture, and •[596] as a future father himself, the son supports the respect-*613 discipline principle of Bedouin society. But in extreme cases, 578 such as the threat of a father to disown his son, the explicit 593 approval of the 'aqila, and of all the 'awaaqil of the secondary 428 corporate group, is necessary. This is the procedure in all 554 cases of banishment. In one case (which I document below), a man disinherited his younger brother with the formal approval of his 'awaaqil.

*613 The tertiary group in Bedouin society is by definition 682 the blood-vengence group. However, in view of the common 578 values and pragmatic interests of its members, the secondary [181] group fulfills this function. Traditionally, when revenge [681] killings were carried out according to the lex talionis, it was usually at the hand of some member of the victim's tertiary group. In the case of protracted conflict, such as extended

121 554 Here we are interested in the way in which roles and groups, and a whole structure of authority, operate over a wide area.

In the previous section, I presented the 'aqila as a specialized political role in Bedouin political organization. As Radcliffe-Brown (1940:xviii-xxi) has pointed out, in the political analysis of segmentary societies it is necessary to isolate incipient authority roles which function to make decisions concerning rightness and wrongness in disputes and which represent the community, giving voice to public sentiment. The notion of society as a functional system of authority roles and authority groups is clear in Radcliffe-Brown's treatment of politics.

121 554 571 Local groups of political significance, i.e., authority groups, are identified by the status position, or office, referred to as 'aqila. The political relations within a local * [613] tertiary group, and between it and similar groups of a lineage and tribe, must be seen as relationships between authority roles.

554 • 596 * 613 In the domestic field of political relations, the authority of the Bedouin 'aqila shades into the familial authority sphere of the household head (shaib). The shaib, as senior agnate of his naja', is dominant over the other males of his tertiary sub-unit, but not to the extent that he can pre-empt any of their rights as members of the tertiary [888] [578] corporate group. A shaib, by virtue of his age, is supposed to possess the wisdom which it takes to regulate conflict.

600 to possess the wisdom which it takes to regulate conflict.
*613 Theoretically, as one 'aqila said, conflict should be stopped
578 at the familial level, either by the father or the paternal
593 uncle, and should never reach the level of the 'aqila. Once
[604] before the 'aqila, conflict assumes new structural poses, or different orientation in authority relations. Authority here is differentiated in terms of the context: the father's authority relates to the familial structural level, and beyond this level the father per se cannot exercise legitimate authority.
*613 The 'aqila, who is responsible for internal order and external
578 relations exercises legitimate authority at each level of the
182 political structure. The authority of the 'aqila is checked and prevented from growing into naked power in that any single 'aqila must consult with the other 'awaaqil of the secondary segment concerning matters which may concern the structural nature and continuity of the group.

*613 In many respects, the authority structure in al-Qasr
559 corresponds to that defined for the Lugbara of Uganda
571 (Middleton 1960). The structural levels (see Figure 7 above)
171 of 'Ailit Ma'fas (secondary), Bait 'Umar (tertiary), and 'Ait Abd al-Malik (sub-tertiary) are approximately equivalent to Middleton's major, minor, and minimal lineages (1960:7-9). But
*[596] whereas among the Lugbara authority roles are purely kinship roles, i.e., genealogically senior heads are responsible for internal control and representation, among the Bedouins of

*613 554 591 171 596 al-Qasr there is definite role differentiation between the shaib and the 'aqila. The incumbents of the two roles may have exactly the same genealogical position in the tertiary segment, but they will never have the same social status. There are as many elders as there are households, but there is only one 'aqila for each group. Another difference between the Bedouins and the Lugbara is that in the latter society a kinship role which doubles as an authority role does not occur above the familial (i.e. shaib) level.

*613 554 596 The difference between the shaib and the 'aqila is the distinguishing factor between informal and formal social control. The shaib acts in accordance with the values implied by Bedouin authority structure: the action of the 'aqila is legitimate in the explicit terms of the Bedouin authority structure. These two spheres of political action represent familial and internal (or domestic) levels of authority and authority relations. Legal matters which affect the whole tertiary segment are dealt with at the internal level.

627 596 685 Affairs of a purely personal nature and of lesser importance are dealt with at the familial level of authority. For instance, it happened that the dog of one man killed a neighbor's chicken. No one sent for the 'aqila. They sent for the shaib of the woman who owned the chicken, i.e., they sent for her husband. He spoke to the woman, his wife, to determine the value of the chicken and this price he demanded as compensation

627 from the owner of the dog. If the man had refused to pay the
• 596 price of the chicken, as demanded for settlement, then the
685 next step would have been to inform the appropriate 'aqila
* [613] to bring greater force, and perhaps greater sanctions, to bear.

*613 Bait 'Umar (Figure 8) is one of the authority groups
571 of al-Qasr, a corporate group represented by a corporate sole.
682 Both the tertiary corporate group and the corporate sole are referred to, according to the ancient tradition of the Bedouins, as an 'aqila. This group is a blood-revenge group, and is referred to as 'umraa al-dam ("donator of blood"), or waliiy al-dam ("executor of a blood feud"). It is the group which
[681] decides whether or not retaliation will be taken according to lex talionis, or if blood-money as compensation for the loss of one of its members is acceptable. The Bedouins say that no amount of money can replace a human life, that blood-money is only a means to prevent the loss of more men. This group, when it functions as waliiy al-dam ("executor of a blood feud"), has the authority to demand retaliation; to waive it entirely; or to demand, along with blood-money, that the guilty party be punished by his 'aqila. When this group pays or receives blood-money it does so as a partner in the larger corporate group, the secondary segment. The principle of collective responsibility interplays with the other structural principles of Bedouin society. The convergence represents

685 I was in al-Qasr, and each party to the conflict hired
578 Egyptian lawyers in Marsa Matruh to represent them. As one
648 litigant in this case told me: "The Bedouins prefer to settle their own land disputes because the government's way of handling these things costs money and long periods of waiting."

69 The notion of jurisprudence in tribal cultures, in
121 general, seems to be one which concentrates on the restoration
578 of a disturbed balance rather than one concerned with formality and procedure. To a great extent, this is true in the Bedouin case also. However, the absence of institutionalized ways of dealing with conflict is more characteristic of the internal
*613 system of political relations. Conflict within the secondary
578 segment, we have noticed, may be regulated at the familial
[593 level of authority by the shaib, or one acting in his place:
•[596 it is hoped by the Bedouins that quarrels never become serious enough to prompt intervention by the 'aqila. On the other hand, the 'aqila, as a legitimate representative of his authority group, will almost always become involved in conflict regulation falling within the sphere of external political relations, i.e., conflict between secondary, primary, or tribal segments.

The 'aqila as the most effective mechanism of social
*613 control has become institutionalized through time in Bedouin
578 society. At the interactional level of secondary lineage
182 group relations, conflict may easily expand into feuding or,